

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOSEPH JODY,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-14-614-D
)	
DIRECTOR, OKLAHOMA DEPARTMENT)	
of CORRECTIONS, et al.,)	
)	
Respondents.)	

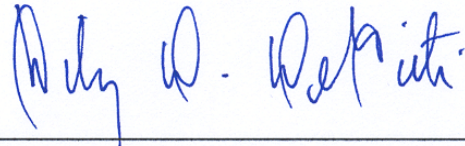
ORDER

This matter is before the Court for review of the Report and Recommendation [Doc. No. 6] issued on July 14, 2014, by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). In the Report and Recommendation, the Magistrate Judge recommended that Petitioner's Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 5] be denied. Additionally, the Magistrate Judge recommended that the action be dismissed without prejudice to refiling unless Petitioner paid the requisite \$5.00 filing fee within twenty (20) days of any order adopting the Report and Recommendation. The Magistrate Judge specifically advised Petitioner of his right to object to the findings and recommendations set forth therein. She further advised Petitioner that his failure to timely object would constitute a waiver of his right to appellate review of the factual and legal matters in the Report and Recommendation. Petitioner's deadline for filing objections was August 3, 2014.

To date, Petitioner has not filed an objection to the Report and Recommendation or sought an extension of time in which to do so. Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 6] in its entirety and Petitioner's Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 5] is DENIED.

The Court docket further reflects that on July 30, 2014, Petitioner paid the \$5.00 filing fee. *See* Receipt for Payment [Doc. No. 7]. Because Petitioner has complied with the Court's directive to pay the \$5.00 filing fee, the matter shall proceed before Magistrate Judge Mitchell pursuant to the Court's previous referral order [Doc. No. 3].

IT IS SO ORDERED this 5th day of August, 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE